

June 22, 2012

Ms. Penelope Randall
7051 Eton Avenue
Canoga Park, CA 91303

Dear Ms. Randall:

I am responding to your correspondence to the U.S. Nuclear Regulatory Commission (NRC) dated March 26, 2012 (available in the NRC's Agencywide Documents Access and Management System under Accession No. ML121280451). In your correspondence, you requested that the NRC amend its regulations to require upgraded and new technology in radionuclide monitoring instrumentation in nuclear power plants. As a basis for this request, you state that the amendments to the regulations are necessary "with the advent of advanced instrumentation as identified in various Regulatory Guides starting in 2008, the Near-Term Task Force Review report on the Fukushima Dai-[i]chi accident (2011), and the continuing Tritium and other radionuclide leaks at various nuclear power plants." Furthermore, you noted that "[c]larification between documents regarding 'principal radionuclides' is also needed."

A request that the NRC implement a rulemaking is considered to be a petition for rulemaking (PRM) and as such must meet the criteria in Title 10 of the *Code of Federal Regulations* (10 CFR) 2.802, "Petition for Rulemaking." We have carefully reviewed your request and have concluded that the information you provided does not meet the Commission's criteria under 10 CFR 2.802(c) for a PRM.

In reviewing a PRM, the NRC determines if it provides a clear statement and basis of the inadequacy of specific regulations. Furthermore, the NRC staff determines whether the petitioner has articulated why the current regulations are problematic, and whether the petitioner has identified specific sections that need to be changed. Your current request does not provide that specificity; as a result, it does not meet the criteria in 10 CFR 2.802(c). While your request points out technological advances in monitoring equipment, it does not address issues in complying with the current regulations. Moreover, your request does not point to specific problematic sections of the regulations, and does not provide any supplemental documentation to support your claims.

If you would like to clarify further your request in order to meet the criteria in 10 CFR 2.802, the request should include: (1) the grounds for the request; (2) a description of your interest in the requested actions; (3) supporting documentation with respect to relevant technical, scientific, or other data involved that are reasonably available and other pertinent information necessary to support the actions sought; and (4) any specific cases of which you are aware where the current rule is deficient or needs to be strengthened.

In addition, the identity of the organization you represent is unclear. The resubmitted request should clearly and concisely provide additional identifying information, including the submitter's organizational or corporate status, the submitter's State of incorporation, the submitter's registered agent, and the name and authority of the individual who signed the request on behalf of the organizational or corporate submitter.

P. Randall

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Accordingly, if you want the NRC to consider your request further, you must supplement your correspondence of March 26, 2012, to meet the minimum requirements for a PRM. This information must be received by the NRC within 90 days of the date of this letter or your request will be considered closed.

The regulations pertaining to the petition process may also be found online at <http://www.nrc.gov/reading-rm/doc-collections/cfr>.

If you have any questions, please contact Cindy Bladey, Chief, Rules, Announcements, and Directives Branch, by calling 301-492-3667 or toll-free 1-800-368-5642, or by e-mail to Cindy.Bladey@nrc.gov.

Sincerely,

/RA Darren Ash for/

R. W. Borchardt
Executive Director
for Operations

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***e-mail concurrence**

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